

Remarks/Arguments:

Claims 1-31 are pending.

Claims 1-10 are allowed.

Claims 11, 19, 24 and 28-30 stand rejected, while claims 12-18, 20-23, 25-27 and 31 are indicated to be allowable if properly rewritten in independent form.

Allowable Subject Matter

In the Action at item 5, claims 12-18, 20-23, 25-27 and 31 are indicated to be allowable if properly rewritten in independent form.

Claims 12-18, 20-23, 25-27 and 31 have not been so rewritten, because it is submitted that their respective base claims 11, 19, 24 and 29 are allowable.

Reconsideration is respectfully requested.

Rejection Under 35 U.S.C. § 102(e)

In the Action at item 3, claims 11, 19, 24 and 28-30 are rejected under 35 U.S.C. 102(a) as being anticipated by Dvorak (U.S. Patent No. 6,911,874).

This ground for rejection is respectively traversed. In particular, Dvorak does not disclose or suggest "selectively inverting a signal pulse responsive to a first bit of the bit stream; and selectively delaying the signal pulse responsive to a second bit of the bit stream," as required by claim 11. Claims 19, 24 and 28 includes similar limitations.

Dvorak Reference

Dvorak discloses a modulated ultra wideband pulse generation system in which an on-off wave generator signal 201 is inverted (i.e. in pulse phase modulator circuit 225) in response to a first modulating signal 226 and is selectively delayed (i.e. in pulse position modulating circuit 208) in response to a second modulating signal 213. Dvorak, however, does not disclose or suggest selectively inverting a signal pulse responsive to a first bit of a bit stream and

selectively delaying the signal pulse responsive to a second bit of the bit stream. That is, Dvorak is silent regarding any details of the modulating signals 213 and 226 and only discusses the effect of the modulation signal 213 to switch the capacitor-to-ground connection on and off according to the modulation signal 213 and, the effect of the modulation signal 226 on the output of the XOR gate 227. Dvorak, in particular, is silent regard anything related to the these two modulation signals 213 and 226 being first and second bits of a bit-stream. Indeed, from the disclosure of the Dvorak patent, the skilled person would assume that the modulating signals 213 and 226 are separate signals. It is well settled that a rejection under 35 U.S.C. § 102 must include every limitation of the claim in a single reference.

Invalidity for anticipation requires that all of the elements and limitations of the claim are found within a single prior art reference. *Carella v. Starlight Archery and Pro Line Co.*, 804 F.2d 135, 138, 231 USPQ 644, 646 (Fed. Cir. 1986); *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984). There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention.¹

Because this limitation of claim 11 is neither disclosed nor suggested by Dvorak, claim 11 is not subject to rejection under 35 U.S.C. § 103(e) in view of Dvorak.

Claims 19, 24 and 28, although not identical to claim 11, are also submitted to patentably distinguish over Dvorak for similar reasons to those noted above.

Claims 29 and 30 include all the limitations of claim 28 and are submitted to not be subject to rejection under 35 U.S.C. § 102(e) for at least the same reasons as claim 28.

Claims 12-18, 20-23, 25-27 and 31 depend variously from claims 19, 24 and 28. Accordingly, these claims are not subject to rejection under 35 U.S.C. § 102(e) in view of Dvorak for at least the same reasons as their base claims.


¹ *Scripps Clinic & Research Foundation v. Genentech Inc.*, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991)

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In view of the foregoing remarks, Applicants request that the Examiner reconsider and withdraw the rejection of claims 11, 19, 24, and 28-30 and the objection to claims 12-18, 20-23, 25-27 and 31.

Respectfully submitted,



Kenneth N. Nigon, Reg. No. 31,549
Eric Berkowitz, Reg. No. 44,030
Attorneys for Applicants

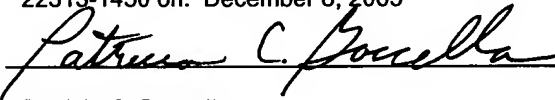
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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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Patricia C. Boccella

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